

SECOND REGULAR SESSION

# SENATE BILL NO. 1183

94TH GENERAL ASSEMBLY

---

INTRODUCED BY SENATOR BRAY.

Read 1st time February 25, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5257S.011

---

## AN ACT

To repeal section 215.020, RSMo, and to enact in lieu thereof two new sections relating to the Missouri housing development commission.

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 215.020, RSMo, is repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 215.020 and 215.025, to read as  
3 follows:

215.020. 1. There is hereby created and established as a governmental  
2 instrumentality of the state of Missouri the "Missouri Housing Development  
3 Commission" which shall constitute a body corporate and politic.

4       2. **Beginning August 28, 2008**, the commission shall consist of [the  
5 governor, lieutenant governor, the state treasurer, the state attorney general, and  
6 six] **nine** members to be selected by the governor, with the advice and consent  
7 of the senate. [The persons to be selected by the governor shall be individuals  
8 knowledgeable in the areas of housing, finance or construction] **Of the**  
9 **members appointed by the governor, one member shall possess**  
10 **demonstrable knowledge in the area of housing or real estate**  
11 **development, one member shall be a member of the housing financial**  
12 **industry, one member shall possess demonstrable knowledge in the**  
13 **area of planning and zoning, one member shall have demonstrable**  
14 **knowledge in the area of nonprofit development, one member shall be**  
15 **an affordable housing advocate, one member shall be a representative**  
16 **of the housing construction industry, one member shall be a resident**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 of a dwelling unit or project that receives assistance under a program  
18 administered under sections 215.034 to 215.039, and two members shall  
19 be appointed at large. Not more than [four] five of the members appointed  
20 by the governor shall be from the same political party. The governor shall  
21 appoint one member from each of the nine congressional districts. In  
22 the event the state of Missouri loses a congressional district following  
23 redistricting based on the 2010 census, the ninth member of the  
24 commission may be from any congressional district. The members of the  
25 commission appointed by the governor shall serve the following terms: [Two]  
26 three shall serve two years, [two] three shall serve three years, and [two] three  
27 shall serve four years, respectively. Thereafter, each appointment shall be for a  
28 term of four years. If for any reason a vacancy occurs, the governor, with the  
29 advice and consent of the senate, shall appoint a new member to fill the  
30 unexpired term. Members are eligible for reappointment.

31 3. [Six] Five members of the commission shall constitute a quorum. No  
32 vacancy in the membership of the commission shall impair the right of a quorum  
33 to exercise all the rights and perform all the duties of the commission. No action  
34 shall be taken by the commission except upon the affirmative vote of at least [six]  
35 five of the members of the commission.

36 4. Each member of the commission appointed by the governor is entitled  
37 to compensation of fifty dollars per diem plus his reasonable and necessary  
38 expenses actually incurred in discharging his duties under sections 215.010 to  
39 215.250.

215.025. The commission shall adopt a code of conduct which  
2 shall govern the conduct of its members and its employees. The code  
3 of conduct shall, in addition to other ethical matters, address conflict  
4 of interest issues. The commission shall also establish conflict of  
5 interest rules which require public disclosure of financial  
6 arrangements between the commissioners and housing developers. The  
7 commission shall promulgate rules and regulations necessary to  
8 implement the provisions of this section. Any rule or portion of a rule,  
9 as that term is defined in section 536.010, RSMo, that is created under  
10 the authority delegated in this section shall become effective only if it  
11 complies with and is subject to all of the provisions of chapter 536,  
12 RSMo, and, if applicable, section 536.028, RSMo. This section and  
13 chapter 536, RSMo, are nonseverable and if any of the powers vested

14 with the general assembly pursuant to chapter 536, RSMo, to review, to  
15 delay the effective date, or to disapprove and annul a rule are  
16 subsequently held unconstitutional, then the grant of rulemaking  
17 authority and any rule proposed or adopted after August 28, 2008, shall  
18 be invalid and void.

✓

Unofficial

Bill

Copy